

# **EXHIBIT A**

## **Firtiva Corporation's P.R. 4-3(a)(2) Claim Construction Chart of Terms and Support**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

FIRTIVA CORPORATION	§	
	§	
v.	§	Case No. 2:21-CV-0111-JRG-RSP
	§	
FUNIMATION GLOBAL GROUP, LLC	§	

**PLAINTIFF FIRTIVA CORPORATION’S CLAIM CONSTRUCTION CHART OF  
TERMS AND SUPPORT PURSUANT TO LOCAL RULE 4-3(a)(2)**

<b>Term<sup>1</sup></b>	<b>Firtiva’s Proposal</b>	<b>Firtiva List of Evidence</b>
“A computer implemented method comprising”  “A computer comprising”  “A system comprising”	Plain and Ordinary Meaning	<b>Intrinsic Evidence</b> ‘999 patent <ul style="list-style-type: none"> <li>• col. 4, ll. 2-8.</li> <li>• claim 5-6, 8, 14, 23, and 30</li> <li>• claim 6</li> <li>• col. 4, ll. 21-28.</li> <li>• FIG. 4</li> <li>• col. 5, ll. 29-41</li> <li>• FIG. 6</li> <li>• col. 6, l. 56 – col. 7, l. 4</li> <li>• col. 6, ll. 5-13</li> </ul>
“receiving an enticement based on the embedded information, the viewing information, user information retrieved based on the user identifier, and a sponsor of	Plain and Ordinary Meaning	<b>Intrinsic Evidence</b> ‘999 patent <ul style="list-style-type: none"> <li>• col. 4, ll. 2-8.</li> <li>• claim 5-6, 8, 14, 23, and 30</li> <li>• claim 6</li> <li>• col. 4, ll. 21-28.</li> <li>• FIG. 4</li> <li>• col. 5, ll. 29-41</li> <li>• FIG. 6</li> <li>• col. 6, l. 56 – col. 7, l. 4</li> </ul>

<sup>1</sup> All terms herein were proposed for construction by Funimation

<p>the time slice corresponding to the sponsor identification”</p> <p>“the receiver further configured to receive an enticement based [on] the embedded information, the viewing information, user information retrieved based on the user identifier, and a sponsor of the time slice corresponding to the sponsor identification”</p> <p>“transmitting the enticement based on at least one of: the embedded information, the viewing information, the user information, and a sponsor of the broadcast”</p> <p>“transmit the enticement based on at least one of: the embedded information, the viewing information, the user information, and a sponsor of the broadcast”</p>		<ul style="list-style-type: none"> <li>col. 6, ll. 5-13</li> </ul>
“user identifier”	Plain and Ordinary Meaning	<p><b>Intrinsic Evidence</b></p> <p>‘999 patent</p> <ul style="list-style-type: none"> <li>col. 2, ll. 31-32</li> </ul>

		<ul style="list-style-type: none"> <li>• col. 2, ll. 37-44</li> <li>• col. 3, ll. 3-5</li> <li>• col. 3, ll. 9-16</li> </ul> <p><b>Extrinsic Evidence</b></p> <ul style="list-style-type: none"> <li>• Funimation’s Privacy policy identified at <a href="https://funimation-app.com/privacy">https://funimation-app.com/privacy</a> (Ex. A to Firtiva’s 4-2 disclosures)</li> <li>• Dkt. 1-2 (Ex. B to Complaint)</li> <li>• Sony Privacy policy identified at <a href="https://www.sony.com/en_us/SCA/privacypolicy.html">https://www.sony.com/en_us/SCA/privacypolicy.html</a> (last accessed 9/2/2021) (Ex. B to Firtiva’s 4-2 disclosures).</li> <li>• Brightcove Privacy policy identified at <a href="https://www.brightcove.com/en/legal/privacy">https://www.brightcove.com/en/legal/privacy</a> (last accessed 9/2/2021) (Ex. C to Firtiva’s 4-2 disclosures).</li> <li>• Freewheel Privacy policy identified at <a href="https://www.freewheel.com/privacy-policy">https://www.freewheel.com/privacy-policy</a> (last accessed 9/2/2021) (Ex. D to Firtiva’s 4-2 disclosures)</li> <li>• <a href="https://www.dictionary.com/browse/user">https://www.dictionary.com/browse/user</a> (last accessed 9/2/2021)</li> <li>• <a href="https://www.merriamwebster.com/dictionary/user">https://www.merriamwebster.com/dictionary/user</a> (last accessed 9/2/2021)</li> <li>• <a href="https://www.dictionary.com/browse/identifier">https://www.dictionary.com/browse/identifier</a> (last accessed 9/2/2021)</li> <li>• Wiley Electrical and Electronics Engineering Dictionary (Ex. E to Firtiva’s 4-2 disclosures)</li> <li>• McGraw-Hill Dictionary of Scientific and Technical Terms, Sixth Edition (Ex. F to Firtiva’s 4-2 disclosures)</li> <li>• Random House Webster’s Unabridged Dictionary, Second Edition (Ex. G to Firtiva’s 4-2 disclosures)</li> </ul>
“sponsor identification”	Plain and Ordinary Meaning	<p><b>Intrinsic Evidence</b></p> <p>‘999 patent</p> <ul style="list-style-type: none"> <li>• Abstract</li> <li>• FIG. 6</li> <li>• FIG. 8</li> <li>• col. 2, ll. 7-23</li> <li>• col. 2, ll. 25-44</li> <li>• col. 2, ll. 47-62</li> <li>• col. 2, l. 65 to col. 3, l. 17</li> <li>• col. 3, ll. 57-60</li> <li>• col. 4, ll. 2-8</li> </ul>

		<ul style="list-style-type: none"> <li>• col. 4, ll. 11-15</li> <li>• col. 4, ll. 21-28</li> <li>• col. 4, ll. 40-43</li> <li>• col. 4, ll. 46-58</li> <li>• col. 4, ll. 61-65</li> <li>• col. 5, ll. 4-10</li> <li>• col. 5, ll. 15-25</li> <li>• col. 5, ll. 29-41</li> <li>• col. 5, ll. 42-55</li> <li>• col. 6, ll. 1-4</li> <li>• col. 6, ll. 5-12</li> <li>• col. 6, ll. 55-67</li> <li>• col. 7, ll. 1-13</li> <li>• FIRTIVA_000084</li> </ul> <p><b>Extrinsic Evidence</b></p> <ul style="list-style-type: none"> <li>• Ex. E to Firtiva 4-2 disclosures</li> <li>• Ex. F to Firtiva 4-2 disclosures</li> <li>• Ex. G to Firtiva 4-2 disclosures</li> <li>• <a href="https://www.dictionary.com/browse/sponsor">https://www.dictionary.com/browse/sponsor</a> (last accessed 9/2/2021)</li> </ul>
“user information”	<p>Plain and Ordinary Meaning</p> <p>Not invalid under 35 U.S.C. §112</p>	<p><b>Intrinsic Evidence</b></p> <p>‘999 patent</p> <ul style="list-style-type: none"> <li>• col. 2, ll. 6-13</li> <li>• col. 2, ll. 24-30</li> <li>• col. 2, ll. 37-40</li> <li>• col. 2, ll. 45-53</li> <li>• col. 2, l. 63-col. 3, l. 3.</li> <li>• col. 3, ll. 5-16</li> <li>• col. 3, l. 56 to col. 4, l. 8</li> <li>• col. 4, ll. 11-27</li> <li>• col. 4, ll. 39-51</li> <li>• col. 4, ll. 52-58</li> <li>• col. 4, l. 61 to col. 5, l. 10</li> <li>• col. 5, ll. 36-41</li> <li>• col. 6, ll. 51-60</li> <li>• FIRTIVA_0000089-90</li> <li>• FIRTIVA_0000101-102</li> <li>• FIRTIVA_104-105</li> <li>• FIRTIVA_0000108-109</li> <li>• FIRTIVA_0000111-112</li> <li>• FIRTIVA_0000115-118</li> <li>• FIRTIVA_0000135</li> <li>• FIRTIVA_0000175</li> <li>• FIRTIVA 178-179</li> </ul>

		<ul style="list-style-type: none"> <li>• FIRTIVA_0000181-183, 185-186</li> <li>• FIRTIVA_0000189</li> <li>• FIRTIVA_0000204</li> <li>• FIRTIVA_0000265</li> </ul> <p><b>Extrinsic Evidence</b></p> <ul style="list-style-type: none"> <li>• PR 4-2(b) Declaration of Dr. Tal Lavian, dated September 24, 2021</li> <li>• Ex. A to Firtiva 4-2 disclosures</li> <li>• Dkt. 1-2</li> <li>• Ex. B to Firtiva 4-2 disclosures</li> <li>• Ex. C to Firtiva 4-2 disclosures</li> <li>• Ex. D to Firtiva 4-2 disclosures</li> <li>• <a href="https://www.dictionary.com/browse/information">https://www.dictionary.com/browse/information</a> (last accessed 9/2/2021)</li> <li>• <a href="https://www.dictionary.com/browse/user">https://www.dictionary.com/browse/user</a> (last accessed 9/2/2021)</li> <li>• <a href="https://www.merriamwebster.com/dictionary/user">https://www.merriamwebster.com/dictionary/user</a> (last accessed 9/2/2021)</li> <li>• Ex. E to Firtiva 4-2 disclosures</li> <li>• Ex. F to Firtiva 4-2 disclosures</li> <li>• Ex. G to Firtiva 4-2 disclosures</li> <li>• US Patent No. 7,003,792</li> <li>• US Patent No. 5,796,952</li> <li>• US Pub. No. 2003/0135853</li> <li>• US Patent No. 5,974,451</li> <li>• US Patent No. 8,271,487</li> <li>• US Patent No. 7,496,947</li> <li>• US Pub. No. 2007/0072676</li> <li>• US Pub. No. 2002/0152117</li> <li>• US Pub. No. 2002/0169540</li> </ul>
“time slice”	Plain and Ordinary Meaning	<p><b>Intrinsic Evidence</b></p> <p>‘999 patent</p> <ul style="list-style-type: none"> <li>• FIG. 4</li> <li>• col. 5, ll. 29-41</li> <li>• FIG. 6</li> <li>• col. 6, l. 56 – col. 7, l. 4</li> <li>• col. 6, ll. 27-39</li> <li>• col. 6, ll. 40-48</li> <li>• FIRTIVA_0000084-85, 87, 89-90</li> </ul> <p><b>Extrinsic Evidence</b></p> <p>Ex. G to Firtiva 4-2 disclosures</p>
“end-of-slice marker that signals the end of a time	Plain and Ordinary Meaning	<p><b>Intrinsic Evidence</b></p> <p>‘999 patent</p> <ul style="list-style-type: none"> <li>• FIG. 4</li> </ul>

slice”		<ul style="list-style-type: none"> <li>• col. 5, ll. 29-41</li> <li>• FIG. 6</li> <li>• col. 6, l. 56 – col. 7, l. 4</li> <li>• col. 6, ll. 27-39</li> <li>• col. 6, ll. 40-48</li> <li>• FIRTIVA_0000084-85, 87, 89-90</li> </ul> <p><b>Extrinsic Evidence</b> Ex. G to Firtiva 4-2 disclosures</p>
“enticement”	Plain and Ordinary Meaning	<p><b>Intrinsic Evidence</b> ‘999 patent</p> <ul style="list-style-type: none"> <li>• Abstract</li> <li>• col. 2, ll. 2-4</li> <li>• col. 2, ll. 20-23</li> <li>• col. 2, ll. 40-44</li> <li>• col. 2, ll. 59-62</li> <li>• col. 3, ll. 13-16</li> <li>• col. 4, ll. 2-8</li> <li>• col. 4, ll. 20-28</li> <li>• col. 4, ll. 52-58</li> <li>• col. 5, ll. 4-10</li> </ul> <p><b>Extrinsic Evidence</b> <a href="https://www.merriamwebster.com/thesaurus/enticement">https://www.merriamwebster.com/thesaurus/enticement</a> (last accessed 9/2/2021)</p>
“the data comprising at least one of a TV channel, content name, timestamp, time slice, and sponsor identification”	Plain and Ordinary Meaning	<p><b>Intrinsic Evidence</b> ‘999 patent</p> <ul style="list-style-type: none"> <li>• FIG. 4</li> <li>• col. 5, ll. 29-41</li> </ul>